

Dr

Attorney Docket No. 47113-0399-00-US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gerold WEINL et al.

Application No.: 10/679,326

Filed: October 7, 2003

FOR: Ti(C,N)-(Ti,Nb,W)(C,N)-Co ALLOY FOR
MILLING CUTTING TOOL
APPLICATIONS

: Confirmation No.: 2680

: Group Art Unit: 1742

: Examiner: Sheehan, John P.

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the 1-Month Office Action dated March 3, 2006, please amend the
above-identified application as follows:

REMARKS

In response to the Official Action dated March 2, 2006 in which restriction was made between the claims of Group I (claims 1 to 5) drawn to titanium-based carbonitride alloy and Group II (claim 6) drawn to a method of making a titanium-based carbonitride alloy, applicants hereby elect the claims of Group I – that is, claims 1-5.

The Official Action also refers to an election of species (paragraph 5) without further elucidation of what “species” are thought to be present. This requirement is believed to be improper in the present application. Claim 1 is drawn to a titanium-based carbonitride alloy with certain unspecified constituents. Claims 2 to 5 each define a further limited range of a particular constituent of claim 1.

While a species election is believed improper as set forth above, applicants the species of claim 1. Claims 1 to 5 read on that species.

Early allowance of claims 1 to 5 is earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, it is respectfully requested that the undersigned be contacted at the number indicated below.

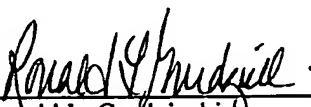
EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit

Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR
EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date: March 17, 2006
DRINKER BIDDLE & REATH LLP
Customer No. 55694
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: 202-842-8800
RLG:mk

By:



Ronald L. Grudzicki
Registration No. 24,970
Tel. No.: (202) 842-8802
Fax No.: (202) 842-8465